

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Ronica Benjamin,

Petitioner

v.

Barry L. Breslow, *et al.*,

Respondents

Case No.: 3:22-cv-00409-ART-CSD

**Order Granting Motion to
Voluntarily Dismiss Case**

(ECF No. 19)

In October 2022, the Court granted 28 U.S.C. § 2254 habeas corpus petitioner Ronica Benjamin's request to appoint counsel and appointed the Federal Public Defender ("FPD") to represent her. (ECF No. 4.) Through her counsel, Benjamin has now filed a motion to voluntarily dismiss her petition. (ECF No. 19.) Attached to the motion is Benjamin's Declaration that details two in-person meetings with counsel in Arizona where she is in custody over the course of several months. (ECF No. 19-1.) The FPD explains that he investigated Benjamin's case and whether there were circumstances warranting equitable tolling of her untimely claims. After discussing the options, Benjamin elected to voluntarily dismiss the litigation. Good cause appearing,

1 It is therefore ordered that Petitioner's motion to voluntarily dismiss the
2 petition **(ECF No. 1) is GRANTED. This action is DISMISSED.**

3 It is further ordered that a certificate of appealability will not issue.

4 It is further ordered that the Clerk of Court enter judgment accordingly
5 and close this case.

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7 DATED THIS 2nd day of August 2023.

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11 ANNE R. TRAUM
12 UNITED STATES DISTRICT JUDGE
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